

# Exhibit A

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

HONORABLE R. GARY KLAUSNER, U.S. DISTRICT JUDGE

- - - -

CARL ZEISS AG and ASML )  
NETHERLANDS, B.V., )

PLAINTIFFS, )

vs. )

No. CV 17-03221-RGK

NIKON CORPORATION, SENDAI NIKON )  
CORPORATION, and NIKON )  
CORPORATION, INC., )

DEFENDANTS. )  
\_\_\_\_\_ )

REPORTER'S TRANSCRIPT OF PROCEEDINGS

MONDAY, JUNE 11, 2018

9:06 A.M.

LOS ANGELES, CALIFORNIA

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*SANDRA MacNEIL, CSR 9013, RPR, CRR, RMR*  
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UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

1 cooperating in agreement whether you want to or not.

2 MR. BELUSKO: Okay. I guess the last issue that I  
3 wanted to bring up for the Court is the issue of some remaining  
4 claim construction issues. There are some remaining claim  
5 construction issues.

6 THE COURT: Let me help you out, Counsel, because,  
7 you know, in patent cases, courts do it differently. Most  
8 patent courts allow *Markman* hearings. I don't do that here.

9 MR. BELUSKO: Yes.

10 THE COURT: To me it's like construction of a  
11 contract. You can do that in a summary judgment. If it's not  
12 done in a summary judgment, it's done in jury instructions,  
13 because it's a matter of law.

14 MR. BELUSKO: Okay. And I guess my question for you  
15 on that, Your Honor, is, there are alternatives, then, that  
16 would need to be presented as part of the case in chief. So is  
17 there any way -- I mean, because they would say the term meant  
18 this, we would say it meant that, and so that would mean we'd  
19 be putting on alternatives in front of the jury.

20 THE COURT: Okay.

21 MR. BELUSKO: Is there any way that, with respect  
22 to, I think we're down to four terms, that those could be  
23 decided in advance of the jury trial?

24 THE COURT: That should have been done as part of  
25 the summary judgment. And if it's not done as part of the

CERTIFICATE

I hereby certify that pursuant to Section 753,  
Title 28, United States Code, the foregoing is a true and  
correct transcript of the stenographically reported proceedings  
held in the above-entitled matter and that the transcript page  
format is in conformance with the regulations of the  
Judicial Conference of the United States.

Date: June 11, 2018

/S/ SANDRA MACNEIL

Sandra MacNeil, CSR No. 9013